

8. Construction Erosion and Sediment Control BMPs

8.1. Overview

Sediment is one of the most significant pollutants by volume that affects storm water quality in Michigan. Sediment in streams may damage plant and animal life, and fill in ponds, lakes, and reservoirs. Control of soil erosion and sedimentation through MDOT's construction and maintenance program involves the following major components:

- MDOT follows sedimentation control procedures as a APA under Part 91 of NREPA of 1994, as amended.
- MDOT follows the permit by administrative rule under Part 21 Wastewater Discharge of Part 31 of NREPA of 1994, as amended

This chapter is organized as follows:

- Section 8.2. provides background information on the MDOT's APA status and current practices.
- Section 8.3. describes the BMPs that MDOT will use for construction storm water control, and the measurable goals associated with each BMP.
- Section 8.4. describes the schedule for construction storm water control BMP implementation.

8.2. Background Information

MDOT is an Authorized Public Agency (APA) under the Natural Resources and Environmental Protection Act, Act 451, Part 91, Michigan Soil Erosion Control. Pursuant to Part 91 and its Administrative Rules, MDOT has an approved plan for soil erosion and sedimentation planning prevention, as detailed in the August 2, 2000, MDOT publication, "Soil Erosion and Sedimentation Control Manual."

In the planning phase of large and small projects, areas of erosive potential and areas susceptible to damage from excessive sedimentation are identified by MDOT. These areas will be controlled during and after construction, by such considerations as shifting the alignment of a highway to eliminate or minimize the encroachment into a surface water environment, or a change in grade to avoid exposing erodible soils. Another consideration is that, when possible, stream crossings should be made at stable reaches of a stream where straight banks are evident and there are no meanders. Stream crossings and encroachments should be kept at a minimum to reduce soil erosion and sedimentation.

For non-MDOT projects, Act 200 of the Public Acts of 1969 and Act 368 of the Public Acts of 1923 as amended establishes MDOT's legal authority to control access and drainage adjacent to MDOT roadway ROWs. Act 200 also requires all parties who propose driveway construction adjacent to MDOT's ROW obtain a permit from MDOT.

This permit process involves a review by MDOT of the proposed drainage for the site and requires that the runoff from the site does not exceed the pre-developed volume. These non-MDOT projects within the MDOT ROW need individual soil erosion control permits from the County Enforcing Agent (CEA) or Municipal Enforcing Agent (MEA).

The appropriate MDOT staff is trained and certified, as required under Part 91. MDOT utilizes Certified Storm Water Operators under Part 31 of NREPA. During pre-construction meetings contractors are informed about their responsibilities, including their responsibility for obtaining all proper permits and meeting all of the appropriate soil erosion and sedimentation control requirements for their project both inside and outside of the MDOT ROW. Contractors also are informed of MDOT's Soil Erosion and Sedimentation Control Manual, and Section 208 of MDOT's Construction Manual. The preferred method of informing the CEA or MEA is to include them in the distribution of the pre-construction meeting minutes unless the project does not involve work on MDOT's trunkline.

8.3. BMP Identification and Measurable Goals

To control construction storm water, the BMPs described below will be implemented.

8.3.1. Notification of MDEQ of Non-Compliance

Refer to the corrective action section of MDOT's Soil Erosion and Sedimentation Control Manual.

Measurable actions will be reported in each annual report and will include the following items:

- Summary of new programs, policies, procedures or information
- Summary of non-compliance activities that resulted in soil erosion and sedimentation deposits in waters of the state and a description of corrective actions taken

8.3.2. Procedure to Receive and Consider Public Complaints

The MDOT website includes region contact information. Currently, the general public usually contacts the MDEQ or someone at the regional office or TSC of the MDOT. Complaints are passed on to the Delivery Engineer in charge of the construction activity. The Delivery Engineer, or appointed representative, will keep a log file of complaints received. All complaints will receive appropriate attention and consideration. Corrective action will be implemented as needed.

In order to evaluate effectiveness of this program, several measurable goals will be established. Actions related to these measurable goals will be reported in the annual report submitted to MDEQ each year and will include the following:

- Summary of new programs, policies, procedures or information
- Summary of public complaints received and actions taken

8.4. Implementation Schedule

For review of the Construction Storm Water Runoff Control Projects, the BMPs discussed in this chapter are summarized in the following Table 8-1.

Table 8-1 Construction Storm Water Runoff Control Summary

ID No.	BMP	Measurable Goals
8.2.1	Notification of MDEQ of non-compliance	Summary of new programs, policies, procedures or information Summary of non-compliance activities that resulted in soil erosion and sedimentation deposits in waters of the state and a description of corrective actions taken
8.2.2	Procedure to receive and consider public complaints	Summary of new programs, policies, procedures or information Summary of public complaints received and actions taken

MDOT will begin work on any necessary tasks upon approval of this plan by MDEQ and the availability of funds. The following Table 8-2 is an estimated implementation schedule for all of the actions needed to fulfill the BMPs discussed in this chapter for the construction storm water runoff control projects.

Table 8-2 Implementation Schedule for Construction Storm Water Runoff Control BMPs

ID No.	Action	Year of Implementation			
		2002	2003	2004	2005
8.3.1	Notification of MDEQ of Non-Compliance				
	Notification and corrective action, if non-compliance occurs	X	X	X	X
8.3.2	Procedure to Receive and Consider Public Complaints				
	Procedure to receive and consider public complaints	X	X	X	X